

*Brinley*

1635

Attorney Docket No. 59150-8010

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on:

Date: February 26, 2004

By: Lynnea B. Anderson

Lynnea B. Anderson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yasufumi Kaneda

EXAMINER: Whiteman, B

SERIAL NO.: 09/937,839

ART UNIT: 1635

FILED: February 21, 2002

CONFIRMATION NO. 7050

FOR: **VIRUS ENVELOPE VECTOR FOR GENE TRANSFER****Supplemental Information Disclosure Statement After Final Action or Notice of Allowance but Before Payment of Issue Fee – 37 CFR 1.97(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information is being filed *after* a final Office action or a Notice of Allowance, whichever occurs first, but before payment of the Issue Fee.

2. Petition – 37 CFR 1.97(d)

Applicant petitions the Patent and Trademark Office to accept this Information Disclosure Statement in light of the certification under 37 CFR 1.97(e) below, and payment of the fee under 37 CFR 1.97(d)(2).

3. Cited Information

Copies of the following references are enclosed:

All cited references listed on PTO 1449 form
 References marked by asterisks
 The following:

Copies of the following references can be found in parent U.S. Application No. :

All cited references
 References marked by asterisks
 The following:

4. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

5. Certification Under 37 CFR 1.97(e) (check one)

- In accordance with 37 CFR 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
- In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

6. Fee Payment – 37 CFR 1.97(d)(2)

- Check enclosed for \$180.00 Information Disclosure Statement Fee as set forth in 37 CFR §1.17(p).
- Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

7. Patent Term Adjustment (37 CFR 1.704(d))

- The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this statement. 37 CFR §1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: Feb. 26, 2004



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PATENT & TRADEMARKS

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
Form PTO-1449 (Modified)
(Use several sheets if necessary)

Sheet 1 of 1

COMPLETE IF KNOWN

Application Number	09/937,839
Filed	February 21, 2002
First Named Inventor	Yasufumi Kaneda
Group Art Unit	1635
Examiner Name	Whiteman, B.
Atty Dkt No.	59150-8010
Confirmation No.	7050

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Foreign Patent or Application		Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER				

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		Ramani, K. et al., "Novel gene delivery to liver cells using engineered virosomes," <i>FEBS Letters</i> 404, pp. 164-168, 1997.	
		Vlasov, V. et al., "The efficient method for DNA incorporation into reconstituted Sendai virus envelopes," <i>Chemical Abstracts</i> , 109(25):411, abstract 226002h(1988), abstract only.	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	